

The Willows at Winding Creek Condominium Association

3000 Willow Run Circle
Enon, Ohio 45323

Dear Unit Owner/Adult Occupant:

The Board of Trustees of the Willows at Winding Creek Condominium Association would like to welcome you to The Willows. To make your transition to condominium living as smooth as possible we want to provide you with the following information about the Association's governing document. Please be reminded that unit owners are obligated to abide by the declaration, bylaws, policies, and guidelines. Adult occupants are obligated to abide by the policies and guidelines.

Declaration and Bylaws

- The declaration is the instrument by which the Condominium Property was submitted to the state for approval under the provisions of the Condominium Act. The declaration was made pursuant to the provision of Chapter 5311 of the Revised Code of Ohio.
- The bylaws of the Association were created pursuant to the provisions of the Condominium Act and serve as the code of regulations of the Association.
- Both the declaration and bylaws are legally recorded documents with the Recorder's Office for Clark County Ohio. New owners will receive a copy of these documents at the closing for your unit. If you did not receive copies they can be downloaded from the recorder's website: <https://countyfusion1.kofiletech.us/> Select Clark county, accept the disclaimer, select log in as guest then type in "Willows" in the public document search then the recorded documents will appear in the list. The declaration is found in book 1277, pages 251-288. The bylaws are in book 1277, pages 289-296. If you prefer, the Association can provide a hard copy of these documents for a fee.

Policies & Guidelines

- Article II, Section 2 (p) of the declaration states, "In addition to adopting and enforcing rules and regulations in the instances specifically hereinbefore mentions, the board may, from time to time, adopt and enforce such further reasonable rules and regulations as is it deems necessary or desirable to protect harmony, to serve the best interests of the unit owners, as a whole, and the Association, and to protect and preserve the nature of the Condominium unit and the Condominium Property."
- Enclosed is a copy of the Policies & Guidelines adopted by the Board May 12, 2003 and revised on March 11, 2021. The revised Policies & Guidelines become effective April 1, 2021.

Non-Owner Resident

- If you are an adult occupant, the unit owner should have notified you in writing that you and your guests are also required to abide by the Policies & Guidelines.

If you have any questions you may contact any board member.

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Policies & Guidelines

The purpose of the “Policies & Guidelines” is to assist the unit owner/resident by compiling most factors affecting their daily life into a single document.

Condominium living is a lifestyle where each unit owner agrees to certain rules and regulations so that all unit owners mutually benefit from a good quality of life, a desirable place to live and enhanced property values. By buying and accepting a deed to a residential unit at The Willows at Winding Creek Condominium unit owners accept responsibility to abide by the ***Declarations, By-Laws and Policies & Guidelines*** as approved by the Board of Trustees of The Willows at Winding Creek.

Suggestions, concerns, or requests may be addressed in person or in writing to the Board of Trustees.

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Definitions

1. **The Willows at Winding Creek Condominium Association Aka the Willows or The Association:** The 76-unit owners of the Willows at Winding Creek Condominium comprise the membership of the incorporated non profit organization. The owner(s) of each unit have one vote in the election of Trustees.
2. **Board of Trustees:** A group of six elected unit owner volunteers who administer and manage (a) The Willows financial assets derived from the monthly assessments, (b) the common area, and (c) the exterior appearance and structural integrity of the residential units.
3. **Common Area:** Any space within the confines of the complex outside the threshold of the residential unit's front entrance and garage door.
 - a. **Common Area Locations:** All grass areas: all paved areas, including streets, driveways, sidewalks, parking areas, mailbox pods, clubhouse, gatehouse, pond, retention basin, swimming pool.
 - b. **Limited Common Area:** The area extending 25 feet from a residence's garage door. For patio-style homes, limited common area also includes the area inside the fence: for a veranda-style home, limited common area also includes the area between the exterior veranda walls and the sidewalk.
4. **Clubhouse:** A unit owners/residents only facility that serves the condominium community as a gathering place. It has an exercise room, the trustee office, social room, kitchen serving area and a fenced in swimming pool. The building is kept locked but is available to unit owners/residents via a keypad code. It is maintained by the Board of Trustees, assisted by a committee of unit owners. The Clubhouse Use & Policies are within the following pages.
 - a. **Exercise Room:** Is solely for the use by unit owners/residents. The exercise equipment is not professional grade and is typical of that found in one's residence. See the following pages for rules governing equipment use.
 - b. **Social Room:** May be reserved for private functions by unit owners/residents. Contact a clubhouse committee member for availability and reservation requirements. A deposit and utility fee are required.
 - c. **Swimming Pool:** The pool schedule and pool rules are published each spring in the newsletter. The pool is open from about May 15th to September 10th, but the dates vary from year to year. The Board of Trustees maintains the swimming pool with the help of a pool committee and as necessary an employed service.
5. **Insurance:** The Condominium Association carries property damage insurance on the 19 residential buildings, the clubhouse, the gatehouse, and liability insurance for its Board of Trustees.
 - a. **Unit Owners/Renters Insurance:** Insurance that covers the inside of the dwelling, personal property, loss of use and personal liability of the unit owner/resident is paid for by the unit owner or resident. This insurance is highly recommended by the Board of Trustees.
6. **Monthly Assessments:** The assessment is due from the unit owners or an agent on the first day of each month for the current month. Payment (check, money order or cashier's check only) may be mailed to The Willows at Winding Creek Condominium Association, 3000 Willow Run Circle, Enon, Ohio 45323 or dropped into mail slot in the Trustee's Office door in the clubhouse. More than one month's Assessments will be accepted and can be paid monthly, quarterly, annually.
 - a. **Late Fees:** Any monthly assessment payment not received by the 10th day of the month is late. A fee of \$10.00 is due when payment is made between the 10th and 20th of the month.
7. **Mailboxes:** The Enon Post Office regulates the postal boxes. Contact the Enon Post Office, located on Xenia Avenue, for assistance with a mailbox.
8. **Newsletter:** The Board of Trustees produces a monthly newsletter which contains a report of the Board's activities and information of interest to, and action by, the unit owners/residents.
9. **Website:** www.willowsatwindingcreek.com is owned and maintained by The Board of Trustees.

10. **Paved Areas:** The Board of Trustees maintains the street, driveways, parking lots and sidewalks. During the winter, snow removal stakes are placed at strategic points to indicate the edge of driveways to help prevent snowplowing damage to the lawns, landscape beds and curbing.
11. **Pond:** Collection point for all rain and snow melt runoff within the complex, chemically treated and aerated to keep it healthy. Water level varies by the amount of precipitation received throughout the seasons. The Board of Trustees maintains the pond/fountain and employs, as necessary, a contractor to manage it.
 - a. **Retention Basin:** Located across the street from the pond and collects excess pond water to prevent flooding.
12. **Real Estate Taxes:** Each unit owner is taxed on the appraised value of his/her unit ***plus*** 1/76th of the value of all common area locations. Questions related to the tax should be directed to the Clark County Auditor in Springfield, Ohio.

Policies & Guidelines

Board of Trustees: The Board consists of six volunteer unit owners elected by the unit owners to administer and manage the business of The Willows at Winding Creek Condominium Association and abide by the legal declarations and by-laws of the association. Two-unit owner trustees are elected each year to three-year terms. On behalf of the unit owners the board:

1. Holds monthly meetings for the conduct of current Association business.
2. Holds annual meetings to provide for a review of the Association's financial health, the election of trustees and an open forum for unit owner questions and concerns.
3. Determines, approves, and implements policies and guidelines for the mutual benefit of all unit owners and residents.
4. Determines annually the monthly assessment required to meet current and future expenses of the association.
5. Manages the investments to meet long-range needs.

Fees:

- A. **Monthly Assessment:** The Board annually determines the monthly assessment for each unit owner or agent pays to the Association. Factors such as current expenses, projected budget expenses for the next year, long range cost projections for future major maintenance and replacements and investment performances are used. The monthly assessment, due the first of each month, is used to pay for such things as:
 - All residential water and sewage usage.
 - Water, sewage, electricity, and natural gas for the common areas.
 - Grounds maintenance including grass mowing, snow plowing, landscape maintenance and replacement, pool maintenance, pond, and fountain maintenance.
 - Building exterior repair and maintenance.
 - Insurance & insurance deductibles.
 - Office supplies and administrative expenses.
 - Street lighting.
 - Long term reserve for repair and maintenance including roof replacement, paint and staining, paved area maintenance & repair, and maintenance & repair of real property within the clubhouse/pool.
- B. **Non-payment:** Failure to pay the monthly assessment as a form of protest is neither permitted by the Declaration and By-Laws nor tolerated by the Board of Trustees.
- C. **Late Payment Fee:** A monthly assessment not received by the 10th of the month in which it is due is late. The unit owner or agent, without notification from the Board, is responsible to pay the late monthly assessment and late assessment fee of \$10 before the next monthly assessment is due. If the late assessment and fee remain unpaid after the 10th of the second and subsequent months, the Board will issue written notice of immediate payment due of all assessments, penalties, and fees. Complete late payment policy, fees and Board actions are detailed in the By-laws and amendments.

Residences & Personal Property

- A. General Guidance: No alterations, additions or displays may be made to the exterior of any unit, the common area or the limited common area without prior written approval of the Board.
- B. Residence Exteriors:
 1. Storm Doors may be added at unit owner's expense using only the Board of Trustees approved design and color.

2. The back of all window coverings visible to the outside must be white, off white, light beige, light gray, or another neutral color. Interior window film for sunlight control is permitted.
 3. Holiday Decorations: Christmas lights and decorations are permitted in limited common areas and/or on residence exteriors provided they are not permanently attached. Do **not** put holes in exterior walls/siding and do not damage the limited common area, building, gutters, or siding. Decorations may be displayed from Thanksgiving Day and removed no later than January 7th of the following year. Decorations for other holiday periods are permitted under the same guidelines with display time limited to no more than one week before or after the holiday.
 4. The American Flag and decorative banners may be flown or displayed at any time following proper flag protocol.
 5. Bird Feeders may be placed in landscaped areas of the residence. Residents must keep the ground beneath the feeders free of weeds.
 6. Garden hose reels/hangers mounted on the exterior are not allowed.
- C. Personal Property: All personal property, such as lawn chairs, BBQ grills, bicycles, tables, etc. must be kept inside the patio or porch area or the garage.
- a. Personal property maintained within the patio area may not be visible above the patio fence except for patio table umbrellas, grills, and flowers. Patio fences are not to be used as clotheslines.

Grounds Maintenance:

- A. Board of Trustees: The Board is solely responsible for the maintenance and operation of the common areas and employs a professional landscape company to:
1. Cut the grass on a regular schedule
 2. Mulch the landscaped beds with black double processed hardwood mulch
 3. Prune shrubs in the landscaped areas to a height no greater than 4 feet
 4. Chemically treat the weeds in the grass and landscaped areas
 5. Remove snow and/or apply snow/ice melt as directed by the Board
- B. Flowers: Unit owners/residents are encouraged, but not required, to plant flowers in existing mulched landscaped areas abutting their residences. Board approval is not required to plant flowers.
1. Flowers are not permitted under mulched trees
 2. Annuals or perennials, not exceeding patio fence or windowsill height shall be used
 3. Maintenance of the flowers, including end of season removal of annuals, is the responsibility of the resident
- C. Shrubs & Trees: Planting, transplanting or removal of new or old shrubs and trees must receive prior approval from the Board.
1. Plants, being presented for approval, will be of a species already in use in the community
 2. Plant height will not exceed the patio fence height if used in or next to the patio; windowsill height if planted beneath or in front of a window; or 4-foot-high if planted away from the window but next to the foundation. Placement distance of trees away from the foundation must be approved.
 3. New planting beds will be limited in size and the location must be approved
 4. New beds must be mulched with matching black double processed hardwood mulch
 5. New plants become the property of the Unit Owners Association who will provide future mulching, pruning and fertilization. Should any new plant die, the resident is responsible for replacement.
- D. Snow Plowing: A Board of Trustees member (usually the President) makes the judgement decision regarding when to remove snow.
1. Factors such as resident safety snow depth, prevailing and predicted weather, time of day and type of service (plow, melt product, etc.) are all considered.
 2. Snow removal includes, in priority order, the street, driveways, parking lots, postal mail pods and sidewalks.

3. No snow/salt-based ice melt products are to be used: therefore, the melting of ice and snow takes longer to accomplish.
4. Stakes are installed so snow removal personnel and residents can locate driveway and parking boundaries; this minimizes plowing damage to the grass. Please do not remove the stakes for any reason.
5. There will be no parking of any vehicles on the street and cars should be inside garages to ensure that your driveway is snow free.

Parking/Vehicles:

1. The speed limit is 14 MPH. Reckless operation, excessive speed and parking or driving on the lawn areas is prohibited.
2. No street parking is allowed.
3. No vehicle shall be parked in any manner that blocks any street or driveway or the ingress/egress to any garage. This includes not blocking walkways or wheelchair ramps.
4. Resident parking shall be within their garage or the limited common area in front of their garage. Temporary parking in Clubhouse parking areas for more than 48 consecutive hours without Trustee approval is not allowed and the vehicle is subject to towing at owner's expense. Residents shall not park in the driveway turnaround.
 - a. Two units with single car garages have an exception to park an additional vehicle in the community lot. 2031 & 2033.
5. No boats, trailers, motor homes, trucks (larger than ¾ ton pickup), travel trailers or any vehicle with commercial advertising may be parked anywhere within the complex overnight. Small recreational vehicles (van conversions/RVs), not exceeding 25 feet in length, are permitted to park in the limited common area in front of the garage for up to 48 hours to allow for loading/unloading. Commercial vehicles, service vehicles and moving vans can park in the street or driveway only during the performance of their service.
6. No repair work is permitted on vehicles in any area except for short term emergency work (flat tire, battery charge, etc.). Inoperable vehicles and/or vehicles which cannot be identified as belonging to a resident parked in any common or limited common area for more than 48 consecutive hours may be towed at owner's expense.
7. Guest/non-resident parking can be in any common or limited common area provided the provisions of Items 1-6 above are allowed.
8. Parking for Clubhouse activities is the Clubhouse parking areas and the curbside parking on the Clubhouse side of the street when the lots are full. No driveway shall be blocked.

Pets:

1. The Board of Trustees expects all unit owners/residents to abide by the laws and regulations of the county and township.
2. No more than two (2) household dogs and/or cats, weighing no more than 35 lb. each and not bred or maintained for commercial purposes, may be kept in any one residence.
3. All animals (dogs and cats), when outdoors, shall be maintained on a leash not more than 15 feet in length. A responsible individual shall always supervise them.
4. Pet litter must be cleaned up immediately. Leaving the feces in any area of The Willows is not fair to vendors or the residents of The Willows who are in or must use those areas. Failure to clean up after your pet will result in a fine per occurrence.
5. No pet shall be tethered outside on the lawn or common area; nor shall any pet be tied to any fence.

Exercise Equipment: The equipment is for the enjoyment and benefit of unit owners/residents only. Use of the exercise room equipment is strictly at the user's own risk, and such use indicates acknowledgement and acceptance that the Association has absolutely no liability.

1. It is recommended that a physician be consulted prior to the use of the exercise equipment to avoid personal injury.
2. Minors must be accompanied by an adult.
3. Use of any one piece of equipment is limited to 45 minutes if there is someone waiting to use it next.
4. All electronically powered exercise equipment must be powered off after use.

Pond: The following pond rules are in effect:

1. A responsible adult shall supervise any minor near the pond.
2. No fishing, swimming, wading, or ice-skating.
3. No rafts, boats or floats capable of or designed to carry a person.
4. No feeding of wildlife.

Insurances: The Association's property damage insurance provides coverage, less a deductible, for each building. Interior load bearing walls are also covered provided no modifications have been made that affects the structural integrity of the wall. All interior items accessible to the unit owner/resident and subject to change, modification, misuse, or accidental damage are the responsibility of the unit owner/resident.

1. If an event that causes a claim is the fault of the unit owner or their invitees, the unit owner shall be responsible for the full amount of the deductible charge on the insurance policy then in place.
2. "For purposes of the deductible charge, the Board of Trustees shall be the sole determiner of fault and degree of culpability of the unit owner or their invitees."
3. The Board of Trustees reserves the right to not file a property damage claim, or to withdraw a filed claim when it is in the best interest of the Association. Each incident and settlement thereof will be judged on its own merits and the Board's final decision is binding upon the unit owner.

Utilities:

1. Water and sewage are provided as part of your monthly assessment. Please use it wisely.
2. TV and Internet cable lines are installed and serviced by Spectrum.
3. Natural gas lines are provided by Columbia Gas of Ohio. You may select your own service.
4. Ohio Edison provides the electric lines. You may select your own service.
5. Trash and recycling lift service is provided by Waste Management and collected on Thursday mornings.
6. All utilities are buried underground. Digging in other than approved landscaped areas must be approved by the Board of Trustees and the location of utility lines identified by PUCO.
7. ATT cable service and/or satellite dishes are an option with advance board approval only.

Condominium Sales: Any owner who sells his or her condominium is responsible for:

1. Advising the Board of Trustees of ownership changes, no later than the time a closing date is established.
2. Paying all monthly assessments and fees due up to and including the closing date.
3. Ensuring new owners receive the Condominium Declaration, Bylaws, Community Policies and Guidelines and any Amendments thereto.

Signs: No signs may be hung or displayed from inside the windows except professionally prepared "For Sale" and "For Rent" signs or security system decals, which shall be limited in size and number. No real estate signs are permitted in any common area, except non-street facing residences may display one sign on the driveway edge of the mulched area between the sidewalk and residence.

Solicitation and Garage Sales: Solicitation by commercial enterprises without a Mad River Township permit is not authorized within the community. Garage sales and tag sales are specifically prohibited unless approved by the Condominium Association as a planned community activity.

Clubhouse Use & Policies

The Clubhouse is available for use and enjoyment by all unit owners/residents. The policies below describe both the general policies that always remain in effect and those policies in effect during unit owner/resident reservation and use of the social room.

General Use Policy

1. Be considerate of other unit owners/residents who may be sharing the clubhouse exercise room, social room, kitchen serving area and/or swimming pool with you.
2. Unit owners/residents have complete responsibility for the actions of their guests.
3. Guests are not permitted to use the exercise room.
4. Maximum occupancy of the clubhouse is 75 people, except during the annual unit owners meeting.
5. The clubhouse and pool are smoke free areas.
6. Pool use is at user's own risk.
 - a. Complete pool rules are posted in the clubhouse and pool area.
 - b. Wet bathing suites and/or wet feet are not allowed entrance to the social room from the pool area.
 - c. Bathrooms are open to the pool area.
7. Clubhouse parking – see Parking on page 7.
8. No personal cooking grills of any sort are allowed in or around the Clubhouse area. The Association's natural gas grill, cleaned after each use, is available for social committee events only and not for personal use.
9. No decorative items, tacks, nails, or adhesive materials shall be used on walls, ceilings, or floors.
10. Service animals are the only pets or animals of any kind permitted in the Clubhouse or pool area.

Reservation and Use of Social Room:

1. An adult unit owner/resident may reserve the social room via the website, by contacting a member of the Club House Committee, or by signing up on the calendar located on the kitchen counter.
 - a. Reservations are for the social room only and do not include the pool.
 - b. Reservations are on a first come, first served basis, and may be made up to 12 months in advance.
 - c. Reservations for routine events of outside organizations, business meetings or any commercial use are not permitted.
 - d. A signed reservation form, deposit and utility fee are required at least 48 hours prior to the scheduled event.
 - e. A unit owner/resident may reserve the social room for a Friday, Saturday, or Sunday up to three times per calendar year. There are no limitations for other days.
2. The unit owner/resident making the reservation must always be present during the event.
 - a. Compliance with the General Use Policy above and the reservation form is mandatory.
 - b. Property damages, theft of Association items, clean up and/or the costs associated with restoring the Clubhouse to its original condition are the responsibility of the unit owner/resident reserving the social room.

Do's & Don'ts

- Do use a tightly covered trash can for your trash, even if bagged, to prevent scattering by scavengers.
- Do sparingly water and fertilize the flowers you have planted.
- Do obey posted pond rules.
- Do not put anything of any kind in the pond.
- Do observe the 14 MPH speed limit.
- Do not water the grass.
- Do not cut the grass or prune the shrubbery.
- Do not add mulch to the landscaped areas.
- Do not weed because the chemical treatment requires 5 days to be fully effective.
- Do not feed any wild animals at the pond or that may wander through the complex.
- Do not remove snow plowing guide stakes.
- Do not use patio fences as a clothesline.
- Do not dig in any area except landscaped areas approved for resident use. Digging in other areas requires prior approval and any buried utilities marked by PUCO.

Frequently Asked Questions

Tradesman, Service Technician, Handyman: A list of names and phone numbers of trades and services may be posted in the clubhouse that Willow's residents have used and found their work to meet or exceed expectations.

- a. Clogged drains may affect more than your residence. Please call others in your building to alert them in case it is a building problem.

Unusual Occurrences in the Complex:

1. Call a Trustee immediately if:
 - a. The fountain is not flowing so the pump may be turned off to prevent damage.
 - b. Water is flowing from an unusual source into driveway, street, or other common area.
2. Notify a Trustee if:
 - a. A streetlight or Willows' entrance sign light is burned out.
 - b. You suspect a water leak or roof leak.
 - c. You suspect building structural or exterior problems.

Pool Rules

Complete pool rules are posted in the clubhouse and pool area.